

LABELS FILED: May 8, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about March 17 and 20, 1952, by F. C. Barker & Co., from Mesilla Park, N. Mex.

PRODUCT: 214 pounds of red chili pods at Denver, Colo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy chili pods.

DISPOSITION: July 8, 1952. Default decrees of condemnation and destruction.

MISCELLANEOUS FOODS

19049. Adulteration and misbranding of assorted canned and bottled fire-damaged food products. U. S. v. 466 Crates * * *. (F. D. C. No. 33044. Sample No. 5950-L.)

LABEL FILED: April 14, 1952, District of Massachusetts.

ALLEGED SHIPMENT: On or about February 15 and 29, 1952, by the Triangle Sales Co., from Philadelphia, Pa.

PRODUCT: 466 crates of an assortment of canned and bottled food products.

RESULTS OF INVESTIGATION: Investigation revealed that these articles were salvaged from a fire-damaged warehouse at Philadelphia, Pa. Some of the articles were decomposed, and some were dirty. The labels on a portion of the containers had been torn, obliterated, or lost.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of dirty food products, and of a decomposed substance by reason of the presence of decomposed food products.

Misbranding, Sections 403 (e) (1) and (2), the products failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 403 (i) (1), the labels failed to bear the common or usual name of the foods; and, Section 403 (i) (2), the products were fabricated from two or more ingredients, and they failed to bear labels containing the common or usual name of each such ingredient.

DISPOSITION: May 12, 1952. The Triangle Sales Corp., of Lynn, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for segregation and relabeling of the fit portion, under the supervision of the Federal Security Agency.

Segregation operations resulted in the destruction of 15 cartons of the products and the salvaging of 60 bottles of grape juice, 15 bottles of sirup, 750 cans of sardines, 50 cans of grapefruit sections, 100 cans of miscellaneous foods, and 250 jars of baby food.

19050. Misbranding of noodle soup mix. U. S. v. 198 Cases * * *. (F. D. C. No. 32138. Sample No. 30069-L.)

LABEL FILED: November 29, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about October 5, 1951, by the I. J. Grass Noodle Co., from Chicago, Ill.

PRODUCT: 198 cases, each containing 48 packages, of noodle soup mix at Seattle, Wash.

LABEL, IN PART: (Package) "Mrs. Grass' Net Wt. 2¼ Oz. Vegetable Noodle Soup Mixture."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Net Wt. 2¼ Oz." was inaccurate. (Examination showed that the product was short of the declared weight.)

DISPOSITION: January 17, 1952. The I. J. Grass Noodle Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the purpose of segregating, sorting, and relabeling or repackaging, under the supervision of the Federal Security Agency. The product was repackaged into new containers and labeled with a correct statement of weight.

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